

REMARKS

The Office Action mailed April 1, 2009 has been carefully considered. Within the Office Action Claims 1-2 and 4-5 have been rejected; Claim 11 has been objected to; and Claims 3 and 6-13 have been allowed. The Applicants have amended Claim 11. Reconsideration in view of the following remarks is respectfully requested.

Informal Objections

Objections to the Specification

The specification stands objected to because of alleged typographical errors pointed out in the office action with respect to paragraphs [0011], [0033] and [0059]. These errors have been corrected with this amendment and, accordingly, the objections should now be withdrawn as moot.

Objection to the Claims

Claim 11 stands objected to because allegedly claim 11 contains the typographical error "deviceaccording". This has been corrected with this amendment and, accordingly, the objection to the claims should now be withdrawn as moot.

With this amendment it is respectfully submitted the claims satisfy the statutory requirements.

Rejection under 35 U.S.C. § 103

Claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 4,251,474 to Blandin and further in view of U.S. Patent No. 6,039,899 to Martin et al. (hereinafter "Martin"). This rejection is respectfully traversed.

The Office Action explicitly acknowledges that: "Blandin does not teach rotating either the composite so that the separating tool rolls passively on the lens or rotating the separating tool so that the lens rolls passively on the separating tool, and guiding the separating tool along an interface between the lens and the shell mold." It should be noted that with Blandin the separating tool is not pressed on the lens, it is pressed in a gap between the lens and the shell mold. Therefore the limitation "pressing a separating tool with a force on the lens" is not disclosed by Blandin either.

Martin discloses a complete process for separating the back curve mold half and the front curve mold half from the lens, the process using a laser or a hot steam to produce heat and applying a tensile force. The tensile force is created by upward rotating the pry fixture 448. During the pry operation, thin metal fingers 452, 453 secure the front curve mold half 10. The metal fingers hold the front curve mold half, therefore the front curve mold half and the lens which adheres to the front curve mold cannot rotate. When the back curve mold half is removed from the composite of lens and front curve mold half, the lens remains fixed to the front curve mold half. Therefore the assertion in the Office Action that the lens is free to roll on the separating tool cannot be maintained. Furthermore, Martin does not use any separating tool as recited in claim 1 and therefore certainly cannot teach one of ordinary skill in the art to guide the separating tool along an interface between the lens and the shell mold.

The prior art cited against a patent application must be viewed without reading the application's teachings into the references. When prior art references must be selectively combined, as done here in the Office Action, to purport to render obvious a subsequent

invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself. Such a reason is lacking in this situation. The person skilled in the art has no grounds to modify an efficient and well established process as disclosed by Martin by elements of a manual process as disclosed by Blandin. And even if he would do so, he would not arrive at the invention as claimed in claim 1 because neither Blandin nor Martin disclose the limitations:

- b1) pressing a separating tool with a force on the lens;
- b2) rotating either the composite so that the separating tool rolls passively on the lens or rotating the separating tool so that the lens rolls passively on the separating tool, and
- b3) guiding the separating tool along an interface between the lens and the shell mold.

For at least the forgoing reasons, the rejection of claim 1 should be withdrawn and claim 1 allowed.

Claims 2, 4 and 5 depend directly or indirectly from claim 1 and therefore include all the limitations of claim 1 and should therefore be allowed as well.

Conclusion

It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-3557.

Respectfully submitted,
NIXON PEABODY LLP

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